

Calenda No. 467

110TH CONGRESS  
1ST SESSION**S. 1582****[Report No. 110–218]**

To reauthorize and amend the Hydrographic Services Improvement Act, and  
for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 7, 2007

Mr. INOUE (for himself, Mr. STEVENS, Ms. CANTWELL, and Ms. SNOWE) in-  
troduced the following bill; which was read twice and referred to the Com-  
mittee on Commerce, Science, and Transportation

NOVEMBER 2, 2007

Reported by Mr. INOUE, with amendments

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**A BILL**

To reauthorize and amend the Hydrographic Services  
Improvement Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hydrographic Services  
5 Improvement Act Amendments of 2007”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 The Hydrographic Services Improvement Act of 1998  
3 (33 U.S.C. 892 et seq.) is amended—

4 (1) by redesignating sections 302 through 306  
5 as sections 303 through 307, respectively; and

6 (2) by inserting after section 301 the following:

7 **“SEC. 302. FINDINGS AND PURPOSES.**

8 “(a) FINDINGS.—The Congress finds the following:

9 “(1) In 2007, the Nation celebrates the 200th  
10 anniversary of its oldest scientific agency, the Survey  
11 of the Coast, which was authorized by Congress and  
12 created by President Thomas Jefferson in 1807 to  
13 conduct surveys of the coast and provide nautical  
14 charts for safe passage through the Nation’s ports  
15 and along its extensive coastline.

16 “(2) These mission requirements and capabili-  
17 ties, which today are located in the National Oceanic  
18 and Atmospheric Administration, evolved over time  
19 to include—

20 “(A) research, development, operations,  
21 products, and services associated with hydro-  
22 graphic, geodetic, shoreline, and baseline sur-  
23 veying;

24 “(B) cartography, mapping, and charting;

25 “(C) tides, currents, and water level obser-  
26 vations;

1                   “(D) maintenance of a national spatial ref-  
2                   erence system; and

3                   “(E) associated products and services.

4                   “(3) There is a need to maintain Federal exper-  
5                   tise and capability in hydrographic data and services  
6                   to support a safe and efficient marine transportation  
7                   system for the enhancement and promotion of inter-  
8                   national trade and interstate commerce vital to the  
9                   Nation’s economic prosperity and for myriad other  
10                  commercial and recreational activities.

11                  “(4) The Nation’s marine transportation sys-  
12                  tem is becoming increasingly congested, the volume  
13                  of international maritime commerce is expected to  
14                  double within the next 20 years, and nearly half of  
15                  the cargo transiting United States waters is oil, re-  
16                  fined petroleum products, or other hazardous sub-  
17                  stances.

18                  “(5) In addition to commerce, hydrographic  
19                  data and services support other national needs for  
20                  the Great Lakes and coastal waters, the territorial  
21                  sea, the Exclusive Economic Zone, and the conti-  
22                  nental shelf of the United States, including—

23                         “(A) emergency response;

24                         “(B) homeland security;

25                         “(C) marine resource conservation;

1           “(D) coastal resiliency to sea-level rise,  
2           coastal inundation, and other hazards;

3           “(E) ocean and coastal science advance-  
4           ment; and

5           “(F) improved and integrated ocean and  
6           coastal mapping and observations for an inte-  
7           grated ocean observing system.

8           “(6) The National Oceanic and Atmospheric  
9           Administration, in cooperation with other agencies  
10          and the States, serves as the Nation’s leading civil  
11          authority for establishing and maintaining national  
12          standards and datums for hydrographic data and  
13          services.

14          “(7) The Director of the National Oceanic and  
15          Atmospheric Administration’s Office of Coast Survey  
16          serves as the National Hydrographer and the pri-  
17          mary United States representative to the inter-  
18          national hydrographic community, including the  
19          International Hydrographic Organization.

20          “(8) The hydrographic expertise, data, and  
21          services of the National Oceanic and Atmospheric  
22          Administration provide the underlying and authori-  
23          tative basis for baseline and boundary demarcation,  
24          including the establishment of marine and coastal

1 territorial limits and jurisdiction, such as the Exclu-  
2 sive Economic Zone.

3 “(9) Research, development and application of  
4 new technologies will further increase efficiency, pro-  
5 mote the Nation’s competitiveness, provide social  
6 and economic benefits, enhance safety and environ-  
7 mental protection, and reduce risks.

8 “(b) PURPOSES.—The purposes of this Act are—

9 “(1) to augment the ability of the National  
10 Oceanic and Atmospheric Administration to fulfill its  
11 responsibilities under this and other authorities;

12 “(2) to provide more accurate and up-to-date  
13 hydrographic data and services in support of safe  
14 and efficient international trade and interstate com-  
15 merce, including—

16 “(A) hydrographic surveys;

17 “(B) electronic navigational charts;

18 “(C) real-time tide, water level, and cur-  
19 rent information and forecasting;

20 “(D) shoreline surveys; and

21 “(E) geodesy and 3-dimensional posi-  
22 tioning data;

23 “(3) to support homeland security, emergency  
24 response, ecosystem approaches to marine manage-  
25 ment, and coastal resiliency by providing hydro-

1 graphic data and services with many other useful  
 2 operational, scientific, engineering, and management  
 3 applications, including—

4 “(A) storm surge, tsunami, coastal flood-  
 5 ing, erosion, and pollution trajectory moni-  
 6 toring, predictions, and warnings;

7 “(B) marine and coastal geographic infor-  
 8 mation systems;

9 “(C) habitat restoration;

10 “(D) long-term sea-level trends; and

11 “(E) more accurate environmental assess-  
 12 ments and monitoring;

13 “(4) to promote improved integrated ocean and  
 14 coastal mapping and observations through increased  
 15 coordination and cooperation;

16 “(5) to provide for and support research and  
 17 development in hydrographic data, services and re-  
 18 lated technologies to enhance the efficiency, accuracy  
 19 and availability of hydrographic data and services  
 20 and thereby promote the Nation’s scientific and  
 21 technological competitiveness; ~~and~~

22 “(6) *to provide training in acquisition and ap-*  
 23 *plication of hydrographic data; and*

1           “(6) (7) to provide national and international  
2           leadership for hydrographic and related services,  
3           sciences, and technologies.”.

4   **SEC. 3. DEFINITIONS.**

5           Section 303 of the Hydrographic Services Improve-  
6   ment Act of 1998 (33 U.S.C. 892), as redesignated by  
7   section 2, is amended—

8           (1) by ~~amending paragraph (3) to read as fol-~~  
9   ~~lows:~~ *striking paragraph (3) and inserting the fol-*  
10 *lowing:*

11           “(3) HYDROGRAPHIC DATA.—The term “hydro-  
12   graphic data” means information acquired through  
13   hydrographic, bathymetric, or shoreline surveying;  
14   geodetic, geospatial, or geomagnetic measurements;  
15   tide, water level, and current observations, or other  
16   methods, that is used in providing hydrographic  
17   services.”;

18           (2) by striking paragraph (4)(A) and inserting  
19   the following:

20           “(A) the management, maintenance, inter-  
21   pretation, certification, and dissemination of  
22   bathymetric, hydrographic, shoreline, geodetic,  
23   geospatial, geomagnetic, and tide, water level,  
24   and current information, including the produc-  
25   tion of nautical charts, nautical information

1           databases, and other products derived from hy-  
2           drographic data;” and

3           (3) by striking paragraph (5) and inserting the  
4           following:

5           “(5) COAST AND GEODETIC SURVEY ACT.—  
6           The term ‘Coast and Geodetic Survey Act’ means  
7           the Act entitled ‘An Act to define the functions and  
8           duties of the Coast and Geodetic Survey, and for  
9           other purposes’, approved August 6, 1947 (33  
10          U.S.C. 883a et seq.).”.

11 **SEC. 4. FUNCTIONS OF THE ADMINISTRATOR.**

12          Section 304 of the Hydrographic Services Improve-  
13          ment Act of 1998 (33 U.S.C. 892a), as redesignated by  
14          section 2, is amended—

15               (1) by striking “the Act of 1947,” in subsection  
16               (a) and inserting “the Coast and Geodetic Survey  
17               Act, promote safe, efficient, and environmentally  
18               sound marine transportation, and otherwise fulfill  
19               the purposes of this Act,”;

20               (2) by striking “data;” in subsection ~~(a)~~~~1~~  
21               ~~(a)~~~~(1)~~ and inserting “data and provide hydrographic  
22               services;”; and

23               (3) by striking subsection (b) and inserting the  
24               following:



1       “(b) AUTHORITIES.—To fulfill the data gathering  
2 and dissemination duties of the Administration under the  
3 Coast and Geodetic Survey Act, promote safe, efficient,  
4 and environmentally sound marine transportation, and  
5 otherwise fulfill the purposes of this Act, subject to the  
6 availability of appropriations—

7           “(1) the Administrator may procure, lease,  
8 evaluate, test, develop, and operate vessels, equip-  
9 ment, and technologies necessary to ensure safe  
10 navigation and maintain operational expertise in hy-  
11 drographic data acquisition and hydrographic serv-  
12 ices;

13           “(2) the Administrator shall design, install,  
14 maintain, and operate real-time hydrographic moni-  
15 toring systems to enhance navigation safety and effi-  
16 ciency;

17           “(3) where appropriate and to the extent that  
18 it does not detract from the promotion of safe and  
19 efficient navigation, the Administrator may acquire  
20 hydrographic data and provide hydrographic services  
21 to support the conservation and management of  
22 coastal and ocean resources;

23           “(4) where appropriate, the Administrator may  
24 acquire hydrographic data and provide hydrographic  
25 services to save and protect life and property and

1 support the resumption of commerce in response to  
2 emergencies, natural and man-made disasters, and  
3 homeland security and maritime domain awareness  
4 needs, including obtaining Mission Assignments as  
5 defined in section 641 of the Post-Katrina Emer-  
6 gency Management Reform Act of 2006 (6 U.S.C.  
7 741);

8 “(5) the Administrator may create, support,  
9 and maintain such joint centers, and enter into and  
10 perform such contracts, leases, grants, or coopera-  
11 tive agreements as may be necessary to carry out  
12 the purposes of this Act; and

13 “(6) notwithstanding paragraph (5), the Ad-  
14 ministrator shall award contracts for the acquisition  
15 of hydrographic data in accordance with title IX of  
16 the Federal Property and Administrative Services  
17 Act of 1949 (40 U.S.C. 1101 et seq.).”.

18 **SEC. 5. QUALITY ASSURANCE PROGRAM.**

19 Subsection (b) of section 305 of the Hydrographic  
20 Services Improvement Act of 1998 (33 U.S.C. 892b), as  
21 redesignated by section 2, is amended by striking  
22 “303(a)(3)” each place it appears and inserting  
23 “304(a)(3)”.

1 **SEC. 6. HYDROGRAPHIC SERVICES REVIEW PANEL.**

2 Section 306 of the Hydrographic Services Improve-  
3 ment Act of 1998 (33 U.S.C. 892c), as redesignated by  
4 section 2, is amended—

5 (1) by striking “303” in subsection (b)(1) and  
6 inserting “304”;

7 (2) by striking subsection (c)(1)(A) and insert-  
8 ing “(A) The panel shall consist of 15 voting mem-  
9 bers who shall be appointed by the Administrator.  
10 The Co-directors of the ~~Joint Hydrographic Institute~~  
11 *Center for Coastal and Ocean Mapping/Joint Hydro-*  
12 *graphic Center* and no more than 2 employees of the  
13 National Oceanic and Atmospheric Administration  
14 appointed by the Administrator shall serve as non-  
15 voting members of the panel. The voting members of  
16 the panel shall be individuals who, by reason of  
17 knowledge, experience, or training, are especially  
18 qualified in 1 or more of the disciplines and fields  
19 relating to hydrographic data and hydrographic serv-  
20 ~~ices~~, *services, marine transportation, port adminis-*  
21 *tration, vessel pilotage, coastal and fishery manage-*  
22 *ment*, and other disciplines as determined appro-  
23 priate by the Administrator.”;

24 (3) by striking “Secretary” in subsections  
25 (c)(1)(C), (c)(3), and (e) and inserting “Adminis-  
26 trator”; and

1 (4) by striking subsection (d) and inserting the  
2 following:

3 “(d) COMPENSATION.—Voting members of the panel  
4 shall be reimbursed for actual and reasonable expenses,  
5 such as travel and per diem, incurred in the performance  
6 of such duties.”.

7 **SEC. 7. AUTHORIZED COMMISSION OFFICERS.**

8 *Section 215 of the National Oceanic and Atmospheric*  
9 *Administration Commissioned Officer Corps Act of 2002*  
10 *(33 U.S.C. 3005) is amended to read as follows:*

11 **“SEC. 215. NUMBER OF AUTHORIZED COMMISSIONED OFFI-**  
12 **CERS.**

13 “(a) *IN GENERAL.*—*The total number of authorized*  
14 *commissioned officers in the NOAA Corps shall not exceed*  
15 *428.*

16 “(b) *FISCAL YEAR STRENGTH.*—*The Secretary shall*  
17 *establish the strength for the NOAA Corps each fiscal year.*  
18 *The actual number of authorized officers will be based on*  
19 *organizational needs and available appropriated funding.*

20 “(c) *CERTAIN OFFICERS.*—*Officers serving under sec-*  
21 *tion 228 and officers recalled from retired status shall not*  
22 *be counted in determining authorized strength under sub-*  
23 *section (a) and shall not count against that strength.”.*

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

3       Section 307 of the Hydrographic Services Improve-  
4 ment Act of 1998 (33 U.S.C. 892d), as redesignated by  
5 section 2, is amended to read as follows:

6 **“SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

7       “There are authorized to be appropriated to the Ad-  
8 ministrator sums as may be necessary for each of fiscal  
9 years 2008 through 2012 for the purposes of carrying out  
10 this Act.”.

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1ST Session

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[Report No. 110-218]

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